THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.2584 OF 2006

Dated: 20-02-2006

Between

Smt. A. Yadamma, W/o. Chandraiah,
R/o. H.No.2-2-1103/A/9/15, Sanjeevaiah
Nagar, Bagh Amberpet, Hyderabad and
others.

...PETITIONERS

AND

Government of A.P., rep. by its Secretary,
Revenue Department (Assignment),
Secretariat, Hyderabad and others.

...RESPONDENTS

ORDER:

Petitioners seek a Writ of Mandamus to declare the action of the respondents in not considering their representation dated 22.08.2005 for regularization of their respective houses in pursuance of the guidelines framed in G.O.Ms.No.455 dated 29.07.2002 as illegal and arbitrary.

Learned counsel for the petitioners submits that the petitioners are in occupation of small extents of land varying from 25 Sq. yards to 75 Sq. yards situated in S.Nos.475 and 476 of Bagh Amberpet, Tilak Nagar, Hyderabad and they have raised pucca houses over the said

extents and they are entitled for regularization of their possession in accordance with clause 4(k) of the G.O.Ms.No.455 dated 29.07.2002.

A perusal of the G.O.Ms.No.455, Revenue (U.C.I) Department, dated 29.07.2002 goes to show that the allotment of vacant surplus land not covered by any registered document of purchase shall not be considered under the orders. Any surplus land covered by the registered document then the allotment made in favour of any person may be considered free of cost if the extent of surplus land is below
80 Sq. yards.

Admittedly, the lands of the petitioners are not covered by any registered document and there are no registered transactions. Therefore, I am of the opinion that the petitioners are not entitled for the benefit of the G.O.Ms.No.455 dated 29.07.2002.

The writ petition is accordingly dismissed.

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V. ESWARAIAH, J

February 20, 2006

DSK